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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,294	03/13/2006	Lee Underwood	36290-0392-00-US (221804)	3518
23973 7590 03/19/2009 DRINKER BIDDLE & REATH ATTN: INTELLECTUAL PROPERTY GROUP ONE LOGAN SQUARE 18TH AND CHERRY STREETS PHILADELPHIA, PA 19103-6996			EXAMINER GIRMA, FEKADESELEASS	
			ART UNIT 2612	PAPER NUMBER
			MAIL DATE 03/19/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/568,294	Applicant(s) UNDERWOOD ET AL.	
	Examiner Fekadeselassie Girma	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>15 February 2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-14 are currently pending in the application.

Objections to the Drawing

2. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81. No new matter may be introduced in the required drawing.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 6 & 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 6 & 11, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 5-8, 13, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Valadez (US 4969991).

As to claim 1, Valadez in, Water purifying and dispensing system, discloses having the claimed a data carrier met by controller (Col. 5, Lines 7-12); code relating to an operation of water treatment apparatus read on Col. 5, Lines 8-12.

As to claim 2, Valadez further discloses the pass key is programmable read on Col. 5, Lines 1-10.

As to claim 3, Valadez discloses the operation comprises filtration, sanitization or recirculation read on Col. 5, Lines 40-48.

As to claim 5, Valadez discloses the pass key includes a memory read on Col. 7, Lines 1-8.

As to claim 6, Valadez discloses the pass key contains data relating to the water treatment apparatus read on Col. 5, Lines 13-20.

As to claim 7, Valadez discloses the pass key is time coded read on Col. 6, Lines 62-64.

As to claim 8, Valadez discloses a water treatment apparatus adapted to receive and read the pass key read Col. 7, Lines 42-50.

As to claim 13, Valadez discloses operations of the water treatment apparatus are only operable by conjunction of a programmable pass key read on 0036; pass key having the code adapted to operate each operation read on Col. 5, Line 55 – Col. 6, Line 6.

As to claim 14, Valadez discloses the one or more operations comprise filtration, sanitization and/or recirculation read on Col. 2, Lines 57 – Col.3, Lines 7.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valadez in view of Defosse (US 2003/0003865).

As to claim 4, Valadez discloses all claimed limitations except a multiple access points. However, Defosse, in the same field of endeavor, teaches the water treatment apparatus has multiple access points read on ¶ 0022, Lines 12-16 & ¶ 0029, Lines 1-3. The artisan recognizes the obviousness of a wireless interface module interfaces a machine control system, such as a vending machine controller, a water treatment, and copy machine and fountain beverage controllers with one of plural wireless networks through one of plural coupled wireless transceivers. Communication between geographically distributed devices with a wireless or wired communication tags and a desired wireless network or multiple access points are supported by coupling a transceiver associated with the desired network to the wireless interface module or a physical connection through wire. Communication using wire connection, advantageously provides flexibility in selecting from one of plural wireless networks for distributed machines listed above so that communication between the control system and a distal operating center is supported over a preferred wireless network through a standardized wireless interface module incorporated in the machine by changing the wireless transceiver coupled to the wireless interface module.

Therefore it would have been obvious to one ordinary skill in the art at the time of invention to incorporate the Method and system for interfacing a machine controller and a wireless network of Defosse into Valadez in order to provide flexibility in selecting from one of plural wireless networks for

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distributed machines listed above so that communication between the control system and a distal operating center is supported over a preferred wireless network through a standardized wireless interface module incorporated in the machine by changing the wireless transceiver coupled to the wireless interface module.

As to claim 9, the claim is interpreted and rejected as to claim 8.

As to claim 10, Valadez discloses the pass key includes electronic circuits which can communicate with electronic circuits within the water treatment apparatus read on Col. 5, Lines 55 – Col 6, Line 6.

As to claim 11, Valadez discloses electronic circuits communicate via transmittable waveforms read on ¶ 0022.

The artisan recognizes the obviousness of transmitting using wireless connection. One important technical advantage is that machines are easily distributed over geographical regions with wireless communications that are compatible with different wireless communications systems operable in the geographical regions. The wireless interface module is embedded in the machine to communicate with the machines internal components, such as by inserting the wireless interface module into a slot of a machine's mother board or controller. Different wireless transceivers are then available to interface with the wireless interface module so that the transceiver most compatible with the geographic region is installed into the machine.

Therefore it would have been obvious to one ordinary skill in the art at

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the time of invention to incorporate the Method and system for interfacing a machine controller and a wireless network of Defosse into Valadez in order to allow the embedding of an integrated wireless communication system into distributed industrial and commercial machines, such as vending machines, with reduced cost and increased reliability, (§ 0013).

As to claim 12, Valadez discloses the electronic circuits communicate by physical contact read on read on Col. 5, Lines 55 – Col 6, Line 6.

Citation of Other Prior Arts

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jornitz disclosed in, Device and method for monitoring the integrity of filtering installations, (US 2004/0256328), Baumfalk disclosed in device method and computer program product for carrying out integrity test on filter elements, (US 7281409), and Den Dekker disclosed in assembly of filter apparatus and replaceable filter; and filtering apparatus and filter for use therein, (US 5674381).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fekadeselassie Girma whose telephone number is (571) 270-5886. The examiner can normally be reached on Monday thru Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/FG/

/Daniel Wu/
Supervisory Patent Examiner, Art Unit 2612